

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 26, 1999
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 19, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Heier moved and Hudkins seconded approval of the Board of Equalization minutes dated October 19, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 15 additions and deductions to the tax assessment rolls per Exhibit "A". (19992127)

MOTION: Hudkins moved and Steinman seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**Family Service
Good News Broadcasting Association, Inc.
Midwest District Missionary Church, Inc.
Peace Lutheran Church**

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Family Service, Good News Broadcasting Association, Inc., Midwest District Missionary Church, Inc. and Peace Lutheran Church. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **SETTING OF A PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

Setting of a public hearing for Tuesday, November 9, 1999 at 2:30 p.m. in the County Commissioners Chambers for notice of valuation change for omitted or undervalued property for Guidance Al-Hedayah Foundation.

The Clerk stated the item had been withdrawn.

5) **DENIAL OF A 451 TAX EXEMPTION FOR 1999 ON REAL PROPERTY FOR GUIDANCE (AL-HEDAYAH) FOUNDATION:**

The Clerk noted that this item should be approval of a 451 tax exemption.

MOTION: Heier moved and Steinman seconded approval of a 451 tax exemption for 1999 on real property for Guidance (Al-Hedayah) Foundation. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

6) **ADJOURNMENT**

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

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- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 19, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Workman moved and Steinman seconded approval of the Board of Commissioners minutes dated October 19, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, October 26, 1999.**

MOTION: Workman moved and Hudkins seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. InterLinc Partnership Grant - Terry Lowe, Information Services Systems Project Manager

Terry Lowe, Systems Project Manager with Information Services, gave a brief background regarding the partnership and explained that they entered into a grant agreement with the State of Nebraska approximately one year ago to have six rural high schools adopt all incorporated villages within Lancaster County and develop web sites.

Jim Marsh, Director of Technology and Future Business Leaders of America (FBLA) advisor at Raymond Central High School, appeared and gave a brief background about FBLA. He added that the development of the web site was also used as their Partnership of Business project which led to placing seventh in the national competition.

The County Board recognized Raymond Central High School, InterLinc Partnership and Future Business Leaders of America Chapter 6851 with a plaque for their outstanding work.

Doug Harris, representative from Alltel, presented savings bonds to Debbie Buresh, Jill Diltz, Brooke Swanson and Lindsey Eden, former/current students at Raymond Central High School.

B. The Volunteer of the Month Award was presented to Ellen and Gordan Chapelle for their services at the Cooperative Extension Office.

4) **PUBLIC HEARINGS:**

Determination of surplus property and subsequent sale. The property is generally located on Park Boulevard between Hill Street and Van Dorn Street. (19992000)

The Chair opened the public hearing.

Dave Johnson, Deputy County Attorney, requested a map of the property be submitted into the record (Exhibit A), as well as a memorandum from Don Killeen, County Property Manager (Exhibit B).

Clint Thomas, City Real Estate, appeared on behalf of Don Killeen and stated Killeen has indicated a value of \$1.50 per square foot. Thomas said similar properties would range from \$1.25 to \$2.50 per square foot. He added that the value would be on the lower end of the range due to the shape and size of the parcel.

The Chair asked if anyone else wished to testify and noted that the property would be placed back on the tax rolls.

No one appeared and the Chair closed the public hearing.

MOTION: Hudkins moved and Steinman seconded to declare Lot 111, Irregular Tract, located in the Southwest 1/4 of Section 35, Township 10 North, Range 6 East of the 6th Principal Meridian, Lancaster County, Nebraska as surplus property with the following conditions:

1. The minimum bid is set at \$1.50 per square foot and that the property is generally 16,000 square feet and
2. The County Board reserves the right to refuse any bid and enter negotiations for the sale of the property.

On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

5) **OLD BUSINESS:**

A. An application for Class M Bottle Club liquor license from Rasmussens' on the Lake LLC dba/P O Pears on the Lake located at 10005 West Davey Road in Lancaster County, Nebraska. (19992153)

The Chair requested a letter from Larry Rasmussen be submitted into the record (Exhibit C).

It was also noted by the Chair that P O Pears and Bob Jergensen would be accountable for any violations which might occur and that in the lease agreement it is noted that alcohol must be served with food.

Campbell noted that there is a question regarding whether a letter from the Game and Parks Commission is needed.

Kerry Eagan, Chief Administrative Officer, stated there are two agreements giving the right to Rasmussens' on the Lake LLC to sell liquor on behalf of Ely's Service. One agreement is the concession lease agreement from Nebraska Game and Parks Commission which does provide the right for on sale vending of beer with meals and wine, by the glass, with evening meals. Eagan stated the lease agreement provides that the lease cannot be transferred or assigned, except by written permission of the Commission and the District Engineer.

Dave Johnson, Deputy County Attorney, stated the County Board could approve the application with the condition that the Nebraska Game and Parks Commission send a letter to Liquor Control indicating they have no objection to Rasmussens' managing the restaurant.

MOTION: Steinman moved and Heier seconded approval of an application for a Class M Bottle Club liquor license from Rasmussens' on the Lake LLC dba/ P O Pears on the Lake located at 10005 West Davey Road with the following condition of approval: That the Nebraska Game and Parks Commission send a letter to the Nebraska Liquor Control Commission indicating there is no objection to Rasmussens' on the Lake LLC managing the restaurant owned by Ely's Service, Inc.. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

B. A request from Ranette Becker to determine disability for purposes of early retirement under the Lancaster County Pension Plan. (19992145)

MOTION: Steinman moved and Heier seconded to deny the request from Ranette Becker to determine disability for purposes of early retirement under the Lancaster County Pension Plan. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

6) **NEW BUSINESS:**

A. Update of the fee schedule for County cremations and burials in accordance with Section 4:102 of the Lancaster County Guidelines for General Assistance. (19992147)

MOTION: Steinman moved and Heier seconded approval.

Workman noted the cost of a burial increases from \$3,000 to \$3,050.

ROLL CALL: Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

- B. A contract with the law firm of Orton, Thomas, Peterson and O'Connell for legal services for indigents in the Separate Juvenile Court of Lancaster County, beginning January 1, 2000 and ending December 31, 2002. The County will pay \$5,000 per month, with the number of new cases not to exceed 50 per year. (19992128)**

MOTION: Hudkins moved and Steinman seconded approval. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

- C. An agreement with Control Services, Inc., in the amount of \$13,725, for software upgrade of the mechanical system at the Intake and Detention Facility in relation to Year 2000. (19992144)**

MOTION: Steinman moved and Heier seconded approval. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- D. Grant contracts between the City of Lincoln, Lancaster County and the following entities for a grant of Keno funds, beginning October 1, 1999 and ending September 30, 2000:**

- * **Lincoln Medical Education Foundation for training and education of 300 counselors, in the amount of \$7,128 (19992131)**
- * **Nebraska CASA for a Court Appointed Special Advocate Program, in the amount of \$2,500 (19992132)**
- * **St. Monica's to assist 15 to 20 families over the next 12 months through its Mother-Child Relapse Prevention program, in the amount of \$5,000 (19992133)**
- * **YWCA of Lincoln for continuing general operation of its childhood development and respite care programs, in the amount of \$3,750 (19992134)**
- * **Cedars Youth Services for funding of its Early Childhood Education Centers, in the amount of \$3,750 (19992135)**
- * **Lincoln Literacy Council for educational materials for adult learners, in the amount of \$7,500 (19992136)**
- * **Lincoln Action Program to provide mentors to 60 youth in grades 6 through 12, in the amount of \$7,500 (19992137)**
- * **Heartland Big Brothers/Big Sisters to fund a case aide and for developing 20 to 30 new matches and a quality mentoring program, in the amount of \$5,633 (19992138)**
- * **Lincoln Interfaith Council for Project C.H.I.R.P., a local language lines project, to ensure accessibility to health and human services, in the amount of \$5,000 (19992139)**
- * **Lighthouse, Inc. for Night of the Arts for 364 youth between the ages of 13 and 18, in the amount of \$1,885 (19992140)**

MOTION: Heier moved and Workman seconded approval. On call Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

- E. An addendum to a contract with ARAMARK Correctional Services Inc. reducing the prices charged for meal delivery and per meal cost as specified in the Producers Price Index and reflected in the contract documents, beginning March 1, 1999 and ending February 28, 2000. (19992143)**

MOTION: Steinman moved and Hudkins seconded approval.

Workman stated the current price is approximately \$1.12 per meal. The new price will be approximately \$1.11 per meal.

ROLL CALL: Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

- F. An addendum to an agreement between United Way, the City of Lincoln and Lancaster County defining financial participation for Phase II of the Human Services Needs Assessment and Comprehensive Plan. The City and the County will each pay a fee of \$37,092 and United Way will receive a credit and pay \$7,091. (The original agreement was executed January, 1999.) (19992150)**

MOTION: Steinman moved and Hudkins seconded approval subject to the addendum reflecting a fee of \$37,092 instead of \$31,092. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

- G. Authorization of the installation of the following traffic signs in Lancaster County, Nebraska: (19992152)**

The following street signs are to be located in Prairie Home.

- * **North 148th Street and Chicago Avenue**
- * **North 148th Street and Garland Avenue**
- * **Fox Street and Chicago Avenue**
- * **Fox Street and Garland Avenue**

Due to completion of construction on South 56th Street the following signage will be removed or installed:

- * **On Saltillo Road, install a lane use control sign east of South 56th Street for westbound traffic turning right and a lane use control sign west of South 56th Street for eastbound traffic turning left.**
- * **On Saltillo Road, remove the side road warning sign, the signal your turn sign and the right curve sign all for westbound traffic.**
- * **On South 56th Street install the following:**

1. **A lane use control sign north of Saltillo Road for southbound traffic turning left and right.**
 2. **A lane use control sign south of Braemer Road for southbound traffic turning left.**
 3. **A lane use control sign north of Braemer Road for southbound traffic turning right and a lane use control sign north of Southdale Road for northbound traffic turning left.**
 4. **A lane use control sign south of Liberty Lane for southbound traffic turning left.**
 5. **A lane use control sign north of Deerhaven Drive for northbound traffic turning left and a lane use control sign north of Liberty Lane for southbound traffic turning right.**
 6. **A lane use control sign north of New Castle Drive for southbound traffic turning right.**
 7. **A lane use control sign north of Rokeby Road for southbound traffic turning left.**
 8. **A lane use control sign south of Kess Drive for northbound traffic turning right.**
 9. **A lane use control sign north of Shady Hollow Lane for south traffic turning right.**
- * **On South 56th Street remove a yield sign, a yield ahead sign and a merge sign all for northbound traffic.**

MOTION: Hudkins moved and Workman seconded approval. On call Hudkins, Campbell, Steinman, Heier and Workman. Motion carried.

- H. Recommendation from the Purchasing Agent and the County Property Management Department to award a bid to the lowest responsive, responsible bidder for the demolition and removal of structures, trees, brush, shrubs and debris from County owned property to LeGrande Excavating, Inc., in the amount of \$39,000. (19992146)**

MOTION: Hudkins moved and Workman seconded approval. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- I. Appointment of Assistant City Attorney Don Taute to represent the Lancaster Corrections Department before the Personnel Policy Board because of a conflict of interest with the County Attorney's Office.**

MOTION: Steinman moved and Heier seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

J. A political subdivision tort claim filed against the Corrections Department by Tracy D Thompson for damaged property, in the amount of \$65. (19992124)

MOTION: Steinman moved and Workman seconded to accept the Director's recommendation and deny the claim filed by Tracy D Thompson. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

K. A political subdivision tort claim filed against the Corrections Department by Roberta Wells for lost property, in the amount of \$22. (19992123)

MOTION: Steinman moved and Hudkins seconded to accept the Director's recommendation and deny the claim filed by Roberta Wells. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

L. A political subdivision tort claim filed against Lancaster County by McArthur Myles for overpayment of child support, in the amount of \$553.07. (19992010)

Dave Johnson, Deputy County Attorney, stated he requested both the Clerk of the District Court and the Child Support Division in the County Attorney's Office to provide a letter for the County Board regarding the circumstances.

MOTION: Steinman moved and Heier seconded approval of a claim filed by McArthur Myles for overpayment of child support, in the amount of \$553.07.

Steinman asked who would be responsible for payment of the claim.

Kerry Eagan, Chief Administrative Officer, stated that there is a General Fund Miscellaneous Court Cost line item from which it could be paid.

ROLL CALL: Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Setting of the following public hearings for Tuesday, November 9, 1999 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building:

1. **County Special Permit 170, Hilltop Estates Community Unit Plan, requested by Brian Carstens on behalf of Bill Carlson, for eight dwelling units, on property located at South 82nd Street and Pella Road in Lancaster County, Nebraska. (19992148)**
2. **County Preliminary Plat 99018, Hilltop Estates, requested by Brian Carstens on behalf of Bill Carlson, for eight lots and one outlot, on property located at South 82nd Street and Pella Road in Lancaster County, Nebraska. (19992149)**

MOTION: Steinman moved and Heier seconded approval of the Consent Items. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

8) **EXECUTIVE SESSION REGARDING PENDING LITIGATION:**

MOTION: At 2:32 p.m. Steinman moved and Hudkins seconded to enter into Executive Session regarding pending litigation. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

MOTION: At 3:17 p.m. Heier moved and Steinman seconded to exit Executive Session. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

It was noted for the record that the announcements were not read.

9) **ADJOURNMENT:**

MOTION: Steinman moved and Hudkins seconded adjournment of the Board of Commissioners meeting. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk